

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

PHIL SAMPSON,

Plaintiff,

v.

GILLESPIE, et al.,

Defendants.

Case No. 1:20-cv-00322-ADA-SAB

**ORDER RE: STIPULATED MOTION TO  
MODIFY SCHEDULING ORDER**

(ECF No. 31)

A scheduling order for this matter issued on June 22, 2021, setting among other deadlines, a nonexpert discovery deadline of October 28, 2022, a dispositive motion filing deadline of February 3, 2023, and a pretrial conference for July 17, 2023. (ECF No. 25.) No trial date was set. On August 24, 2022, District Judge Ana de Alba was assigned to this action. (ECF No. 30.) On September 30, 2022, the parties filed a stipulated motion to modify the scheduling order. (ECF No. 31.)

The parties seek to extend the discovery deadlines, dispositive motion deadline, and the pretrial conference by a period of approximately six months. The parties provide the Court with only slim information pertaining to the amount of discovery completed, but, as the Court is aware, there has been a federal criminal murder trial ongoing in this district since May of this year, that counsel has been engaged in. The parties proffer they need additional time to complete

depositions and expert preparation due to the delays caused by the trial. The Court finds good cause to grant the stipulated motion. Given the recent assignment of the District Judge to this action, the Court finds it appropriate to set a trial date. The parties are advised that with the setting of a trial date, no further extensions of the scheduling deadlines in this matter will be granted absent a showing of good cause supported by specific factual proffers to the Court.

Accordingly, pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the parties' stipulated motion to modify the schedule (ECF No. 31) is GRANTED, and the scheduling order (ECF No. 25) is modified as follows:

1. Non-Expert Discovery Deadline: **April 28, 2023;**
2. Expert Disclosure Deadline: **May 5, 2023;**
3. Supplemental Expert Discovery Deadline: **May 19, 2023;**
4. Expert Discovery Deadline: **May 30, 2023;**
5. Dispositive Motion Deadline: **June 23, 2023;**
6. Pretrial Conference: **December 18, 2023, at 1:30 p.m., in Courtroom 1, before District Judge Ana de Alba;** and
7. Trial: **February 20, 2024, at 8:30 a.m., in Courtroom 1, before District Judge Ana de Alba.**

IT IS SO ORDERED.

Dated: **October 3, 2022**

  
UNITED STATES MAGISTRATE JUDGE